

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10581 NMG

YVETTE LOCKHART-BEMBERY,)
Plaintiff,)
VS.)
TOWN OF WAYLAND POLICE DEPARTMENT,)
ROBERT IRVING, in his capacity as)
CHIEF OF THE WAYLAND POLICE DEPARTMENT)
and DANIEL SAURO,)
Defendants.)

DEPOSITION OF YVETTE LOCKHART-BEMBERY, taken pursuant to Rule 30 of the Massachusetts Rules of Civil Procedure, before Theresa M. Edwards, Professional Reporter and Notary Public in and for the Commonwealth of Massachusetts, at the Law Offices of Brody, Hardoon, Perkins & Kesten, One Exeter Plaza, Boston, Massachusetts, on Monday, February 7, 2005, commencing at 11:35 A.M.

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EXHIBIT

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APPEARANCES:

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BY: ANDREW M. FISCHER, ESQUIRE

For the Defendants:

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(617) 880-7100
BY: JEREMY SILVERFINE, ESQUIRE

Also Present:

Robert Irving - Chief of Wayland Police Department
Daniel Sauro - Wayland Police Department

I N D E X

Direct Cross

WITNESS: YVETTE LOCKHART-BEMBERY

By Mr. Silverfine 4
By Mr. Fischer --

E X H I B I T S

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STIPULATIONS

It is hereby stipulated and agreed by and between counsel for the respective parties that all objections, except as to the form of the question, and all motions to strike, are reserved until the time of trial.

It is further stipulated and agreed that the witness will read and sign the transcript, waiving notary, within 30 days.

YVETTE LOCKHART-BEMBERY, the deponent, having first been duly sworn, deposes and testifies as follows:

DIRECT EXAMINATION

Q. (By Mr. Silverfine): Good morning. My name is Jeremy Silverfine, and I represent the Town of Wayland Police Department and Daniel Sauro and Chief Robert Irving in his capacity as Chief of the Wayland Police Department in a civil action you have filed. I'll be asking you a series of questions here today, and you're obligated to answer under oath to the best that you can. Do you understand so far what I've said?

A. Yes, I do.

Q. There will be a stenographer, obviously, that

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- 1 Q. What time was the class?
2 A. Nine o'clock.
3 Q. Nine o'clock?
4 A. Yes.
5 Q. What time did you leave your home that day?
6 A. About eight.
7 Q. In relation to where you eventually stopped,
8 how far is it from where you stopped to your
9 home?
10 A. To my home?
11 Q. Yes?
12 A. You mean in miles?
13 Q. Miles is fine?
14 A. I don't know. It's like 15 to 20 minutes.
15 Q. The class that you were going to, had you
16 signed up in advance for it?
17 A. Yes.
18 Q. Did you pay any money for it?
19 A. Yes, I did.
20 Q. How much did you pay?
21 A. Five hundred and something, almost \$600.
22 Q. Five hundred dollars?
23 A. Almost \$600.
24 Q. What kind of certification were you going to

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- 1 get?
2 A. You have to keep getting recertified as a
3 nursing assistant.
4 Q. You were going for your recertification or this
5 was the first time you were getting certified?
6 A. No. I was certified many different times. But
7 every time you go to a different place, they
8 make you go to their certification. So this
9 time, I wanted a certification I could travel
10 with, that went with me.
11 Q. What was the address of the place in Waltham
12 that you were going to?
13 A. I can't give you that. It's the Red Cross in
14 Waltham. There's only one place.
15 Q. Do you remember who was instructing the class?
16 A. No. I can't remember that.
17 Q. Do you remember the weather on that particular
18 morning?
19 A. Yes. It was very -- partly sunny, partly
20 cloudy. It depends on your outlook. No
21 precipitation. The roads were dry, except in
22 spots. Does that answer that?
23 Q. Was there snow on the ground, if you recall?
24 A. Not on the road.

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- 1 Q. Not on the road?
2 A. No.
3 Q. The road surface was what?
4 A. Dry.
5 Q. Clear?
6 A. Yes.
7 Q. Did you have any problems with your vehicle up
8 until the time that it had stopped at the point
9 in time in which you allege your complaint?
10 A. The lights went off on the dash, and I put my
11 foot on the gas to see if it was running. It
12 was not. So I looked up ahead to see where --
13 because I was on an incline at that point, I
14 looked up ahead to see where I could turn. I
15 was very familiar with that area since I went
16 to Regis, which was a stone's throw from there.
17 I pulled over to a clearing on the shoulder of
18 the road.
19 Q. Had you had problems with that vehicle before
20 February 6, 2002?
21 A. No.
22 Q. Up until that time --
23 A. Nothing like that.
24 Q. Had you had any problems with the car breaking

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- 1 down at all --
2 A. No.
3 Q. -- prior to that date?
4 A. No.
5 Q. Had you had to call AAA for the car prior to
6 February 6, 2002?
7 A. I needed a battery once, and I got a battery.
8 I got tires, brakes, things like that. Just
9 general maintenance, nothing like that.
10 Q. How were you dressed on the morning of
11 February 6, 2002?
12 A. How was I dressed? What exactly does that
13 mean?
14 Q. What were you wearing?
15 A. I had the bag at home, white jeans.
16 Q. I'm sorry?
17 A. I have the bag at home because they had cut
18 them off of me. White jeans, we had to wear
19 white pants. All I had was white jeans, which
20 I have a lot of. A white top, a very -- my
21 favorite silver jacket, metallic jacket, with
22 the big hood, with black faux fur around the
23 front, around the outline of the hood. I had
24 my big thing that I cover my hair with.

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1 Q. You said big thing you cover your hair --
 2 A. I wear drapings.
 3 Q. I'm sorry?
 4 A. I wear head gear, head drapings.
 5 Q. Is that similar to the draping you're wearing
 6 today at the deposition?
 7 A. The one I had on was bigger.
 8 Q. Bigger?
 9 A. Yes. I don't wear them as big since 9/11.
 10 Q. Do you wear drapings everyday?
 11 A. Yes, I do.
 12 Q. Why do you wear drapings everyday?
 13 A. My religion.
 14 Q. What religion is that?
 15 A. Okay. That's kind of hard to answer. I was
 16 born and raised Catholic, but I believe in all
 17 religions. So I would have to say Quan Yin
 18 Meditation Initiate.
 19 Q. I'm sorry. I'm not familiar. The reason
 20 you're wearing --
 21 A. I just told you.
 22 Q. You have to forgive me.
 23 A. Quan Yin, Q-U-A-N, then a capital, Y-I-N,
 24 Meditation Initiate.

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1 Q. Could you spell that for the stenographer?
 2 A. Initiate?
 3 THE WITNESS: Do you know how spell
 4 "initiate"?
 5 (Spelling confirmed.)
 6 Q. (By Mr. Silverfine): You consider that a
 7 religion?
 8 A. It's not really a religion. It's a way of
 9 life.
 10 Q. Is there a temple that you belong to or some
 11 similar church where you go?
 12 A. Yes, everywhere. There's one everywhere.
 13 Q. Is there one you regularly attend?
 14 A. In people's homes. The one I was initiated is
 15 in Connecticut. I was going to say
 16 Connecticut, but their home base is in Ohio.
 17 But the closest one, it was in New York,
 18 outside of New York, so Connecticut.
 19 Q. Do you regularly attend some local place where
 20 you worship?
 21 A. We're obliged to maintain whatever faith we
 22 chose while observing their stipulations to
 23 maintain your initiation, which includes two
 24 and a half hours to three hours to four hours

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1 of meditation daily, a vegan diet, which means
 2 no meat, eggs, poultry, whatever, anything with
 3 a face -- any sentient being that has feelings
 4 -- no alcohol, no adultery. I can't remember
 5 what else there is. I don't do them anyway.
 6 That's about it.
 7 Q. How long have you been participating in this?
 8 A. In this particular organization or how long
 9 have I been --
 10 Q. Yes, in this particular organization?
 11 A. -- or how long have I been dressing this way?
 12 Q. The organization first?
 13 A. The organization was -- I was initiated in
 14 2000. I started practicing two years prior to
 15 that, so that would be 1998. I became aware of
 16 the organization because I'm a Reiki master,
 17 R-E-I-K-I.
 18 Q. What does that mean; what is a Reiki master?
 19 A. It's a hands-on healing technique that a lot of
 20 therapists use.
 21 Q. How long have you been dressing in this
 22 particular fashion as you've described?
 23 A. I would say 15 to 20 years.
 24 Q. Do you consider yourself Christian, as well?

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1 A. Yes. I believe in Jesus.
 2 Q. I notice today in the deposition you're wearing
 3 a cross around your neck. Is that something
 4 you regularly wear?
 5 A. I wear it all the time.
 6 Q. Were you wearing it on February 6, 2002?
 7 A. Not this particular one. My daughter gave this
 8 to me. It's for a nurse with the clock in the
 9 middle.
 10 Q. Were you wearing a cross on the outside --
 11 A. I had a cross, a gold cross.
 12 Q. -- on the outside of your clothing?
 13 A. On the day of the accident?
 14 Q. Yes?
 15 A. No. You couldn't have seen it anyway. I had a
 16 big coat on. It was winter.
 17 Q. I'm just asking what you were wearing, and
 18 today you have a --
 19 A. I had a cross on, a gold cross with a gold
 20 chain, but it was underneath my clothing.
 21 Q. Do you consider yourself Muslim?
 22 A. No, I don't. But, I do believe in and respect
 23 their beliefs.
 24 Q. On February 6, 2002, you said you were heading

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1 to the Red Cross in Waltham. Did something
2 happen along the way that caused you to stop?
3 A. My car stopped moving.
4 Q. Where, if you recall, did your car stop moving?
5 A. I had just passed a Natick sign, "Entering
6 Natick."
7 Q. What did you do when your car stopped?
8 A. It didn't stop. I said that I noticed that
9 there were no lights on the dash. I put my
10 foot on the gas. I realized it was moving
11 because I was going downhill. But, there was
12 no gas going to the engine. It wasn't running,
13 basically.
14 Q. So you say you noticed there were no lights on
15 the dash and you were going downhill. How long
16 did you travel in this fashion for?
17 A. Two minutes.
18 Q. Then what happened?
19 A. I pulled over as far as I could, which was out
20 of traffic completely. I tried it again to see
21 if it would start because I thought it was a
22 fluke or something. It would not start. I
23 started searching for my cell phone, which I
24 couldn't find.

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1 Q. Were you able to restart the car?
2 A. No, I wasn't.
3 Q. The car, you say, was on the side of the road
4 facing which direction?
5 A. I was going on the proper side of the road, the
6 right side of the road, off of the road. There
7 was like a cemented little path there where
8 people pull off. I have not been able to find
9 it since then, but I know that it's there
10 because I used to see it when I was going to
11 Regis. I got there. I looked for my cell
12 phone. Unable to locate it, I made the
13 assumption that I left it at home on the table.
14 So I decided to get out of the car and stand on
15 the side, on the passenger side. Several
16 people stopped and offered use of their cell
17 phone to call AAA. Everyone was very nice.
18 Q. In fact, did you have AAA service, the card, a
19 member --
20 A. Yes, of course I do.
21 Q. Did you call AAA?
22 A. Yes, I did.
23 Q. Do you remember what time you called?
24 A. No, I don't. But, I'm sure they have a record

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1 of it.
2 Q. After you used the phone, did you stay outside
3 or did you get back inside the car?
4 A. No. I stayed outside.
5 Q. Do you remember what direction -- you said you
6 pulled on the side of the road. Do you
7 remember what direction you were heading in?
8 A. Towards Waltham.
9 Q. You were on Route 30 at this point?
10 A. Yes.
11 Q. Heading towards Waltham away from Framingham?
12 A. Yes.
13 Q. What happened next?
14 A. I was peacefully waiting for the arrival of
15 AAA. They said they would put a priority on it
16 since I was on Route 30. A woman drove up,
17 driving in the opposite direction, and asked if
18 I was okay. I told her, yes, I was fine, that
19 AAA was on the way. She informed me that she
20 had telephoned the police because she noticed I
21 was slumped -- she thought I was slumped in the
22 car and may have been hurt.
23 Q. Let's stop you right there. When you say
24 "slumped," you said you were outside the car,

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1 though?
2 A. I know, I wasn't. I don't know when she saw
3 me.
4 Q. Were you, at any point in time --
5 A. I was looking for my cell phone.
6 Q. The question is, at any point in time, were you
7 slumped over the wheel of the car?
8 A. No.
9 Q. So this woman said to you --
10 A. Made the assumption.
11 Q. -- she thought you were slumped over the car?
12 A. She said it appeared that I looked like I was
13 hurt, and she telephoned the police to tell
14 them.
15 Q. What did you say, if you recall, at that point?
16 A. I said, "No. I'm perfectly fine. I was
17 looking for my cell phone." She said that she
18 would notify the police that I was fine.
19 Q. What happened next?
20 A. The next thing I know, the police showed up.
21 Q. The police showed up. Cruiser, marked cruiser,
22 unmarked cruiser?
23 A. No. It was a marked cruiser.
24 Q. Marked cruiser. Do you remember what

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1 department it was?
 2 A. It was Wayland Police. She told me that she
 3 called Wayland Police.
 4 Q. Who arrived from the Wayland Police?
 5 A. I didn't know his name at the time, but it was
 6 Sergeant Sauro.
 7 Q. What did Sergeant Sauro do when he arrived?
 8 A. He proceeded to look every place, but at me.
 9 Q. Tell us exactly what he did?
 10 A. He got out of his car, walked around my car.
 11 Q. Are you on the inside of the car or the
 12 outside?
 13 A. I already told you that I was standing outside.
 14 Q. I'm just trying to get your testimony as to
 15 what happened --
 16 A. I have not moved. I am standing outside.
 17 Q. So you're outside. Where in relation to your
 18 car are you standing?
 19 A. I'm on the ground, dirt, not snow, not
 20 anything. I'm on grassy dirt.
 21 Q. You're standing on the passenger side of your
 22 car?
 23 A. Passenger side of my car.
 24 Q. You say Officer --

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1 A. Not exactly next to it.
 2 Q. What does Officer Sauro do; describe for us --
 3 A. While I was talking to him, explaining that I
 4 had been looking for my phone, he immediately
 5 just went over and ripped open my door.
 6 Q. Which door?
 7 A. Passenger side door.
 8 Q. What did he do?
 9 A. Proceeded to reach into the crevice and said,
 10 "Here's your phone."
 11 Q. What happened next?
 12 A. He said, "Move the car. It's going to be
 13 towed."
 14 Q. What did you say?
 15 A. I said, "How am I supposed to move the car if
 16 it doesn't start?"
 17 Q. What happened next?
 18 A. He said, "You just won't have power steering.
 19 The car can be moved."
 20 Q. What did you say?
 21 A. I didn't say anything because he immediately
 22 went to his radio and started calling to have
 23 it towed.
 24 Q. Did you say anything else at that particular

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1 point to the officer?
 2 A. I don't recall saying anything else because he
 3 had walked away from me and wasn't listening to
 4 me anyway. That was my perception.
 5 Q. I'm asking you, though, your best memory as to
 6 what you said and what he said at that point?
 7 A. I basically told you, to my recollection, what
 8 he said.
 9 Q. Anything else that you remember the
 10 conversation between you and Officer Sauro at
 11 that point?
 12 A. I don't recall. There probably was more.
 13 Q. I'm asking what your memory of the other
 14 conversation was?
 15 A. At this point, it's a little blurry as to what
 16 he said because traumatic events occurred
 17 during that point.
 18 Q. I'm just asking your best memory as to what
 19 else was said between you and Officer Sauro?
 20 A. I told you what I can recall.
 21 Q. At this point --
 22 A. At this point, I can't recall more than that,
 23 but I'm sure there was more.
 24 Q. I'm asking you, and I think we're entitled to

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1 know, if there is anything else you can recall
 2 as to the conversation as you sit here today
 3 between you and Officer Sauro?
 4 A. Did I just answer that?
 5 MR. FISCHER: I think she just
 6 answered that.
 7 Q. (By Mr. Silverfine): Is there anything
 8 impeding your memory today as you sit here?
 9 A. Like what?
 10 Q. That's what I'm asking you. Is there anything
 11 interfering with your memory today? Are you on
 12 medication?
 13 A. No, I'm not.
 14 Q. Did you take any alcohol or drugs in the last
 15 24 hours?
 16 A. No. I just told you I don't drink.
 17 Q. I am asking you, is there anything that would
 18 interfere with your ability to remember any
 19 further conversation between you and
 20 Officer Sauro on February 6, 2002?
 21 A. No chemically, medically anything. Maybe
 22 traumatically, I am blanking on a lot of
 23 things. But, no chemicals, medicine, anything
 24 like that is preventing me from remembering

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1 A. No, not to my knowledge anyway.
 2 Q. I'm going to ask you to draw a diagram of the
 3 roadway where your vehicle stopped and which
 4 you described for us earlier where you had the
 5 interaction with Daniel Sauro, if you could
 6 just draw the road.
 7 MR. FISCHER: We'll stipulate that
 8 this is not to scale, and we're not
 9 grading you on your art skills.
 10 THE WITNESS: They also changed the
 11 whole road.
 12 Q. (By Mr. Silverfine): We're just asking you to
 13 draw, as best you can, your memory of the road
 14 and where your car was in relation to the road
 15 when it came to a stop. If you could draw
 16 Route 30 and if you could draw the road as best
 17 you can, almost as if you were drawing a map.
 18 A. It's only that little bit. This is the
 19 shoulder, which I was not on.
 20 Q. If you could draw like as if you were drawing a
 21 diagram looking down at a map, that would be
 22 terrific.
 23 MR. FISCHER: Would it be helpful if
 24 I showed her a defendant's drawing as an

110

1 example.
 2 MR. SILVERFINE: I think it would be
 3 duly unsuggestive --
 4 MR. FISCHER: That's why I'm not
 5 doing it.
 6 THE WITNESS: There was a street
 7 there.
 8 (off the record.)
 9 Q. (By Mr. Silverfine): Are you drawing Route 30;
 10 is that accurate?
 11 A. Yes.
 12 Q. If you could just put east and westbound?
 13 A. I don't know which is east.
 14 Q. Is it fair to say that if I suggested that east
 15 was heading towards Boston --
 16 A. That's east?
 17 Q. Would that be helpful?
 18 A. Yes. That would be helpful. I'm terrible with
 19 that.
 20 Q. If you could draw Route 30 where your car was,
 21 put a little box, maybe a rectangle, where your
 22 car came to a stop?
 23 A. I'm coming this way.
 24 Q. You're indicating on this piece of paper you're

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1 heading eastbound, correct?
 2 A. I'm heading eastbound when the lights go out in
 3 the car, and it's on downhill. It's headed --
 4 not really a hill, but it was moving without
 5 any gas or acceleration when I realized that
 6 there was no electricity, no power, whatever.
 7 There was no traffic coming, no traffic in my
 8 rear or forward. I proceeded to just go over
 9 here.
 10 Q. You're drawing a dotted line. You put a
 11 triangle --
 12 A. This is like shoulder, so I'm letting you know
 13 it was not the shoulder. The road came in --
 14 Q. Why don't you draw what you're describing so we
 15 have a little bit of an idea.
 16 A. The road came in just a little bit for a car
 17 space. It came in, and I knew it was there.
 18 There used to be some kind of stand there.
 19 Q. Could you draw, it's not clear on this piece of
 20 paper, where the boundary or if there is a curb
 21 in the eastbound so it would be on the
 22 right-hand side --
 23 A. A curb?
 24 MR. FISCHER: A curb, like the edge

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1 of the road.
 2 Q. (By Mr. Silverfine): Or the end of the road so
 3 that I know a second line, a straight line, is
 4 where the end of the road is.
 5 A. That's why I drew the shoulder; I'm using this
 6 red line.
 7 Q. You're using the red line on the piece of paper
 8 as the end line for Route 30?
 9 A. Yes.
 10 Q. Could you put a little rectangle where your car
 11 came to a stop?
 12 A. This is where I am. I put "shoulder" there. I
 13 don't know if that spells shoulder. This is my
 14 auto. I went into here and not panicking or
 15 anything, just wondering what, if anything,
 16 happened, pulled over out of the way of
 17 traffic. This is my car stopped here.
 18 Q. Can we put, how about for your last name "LB,"
 19 for "Lockhart-Bembery." Could you put that
 20 inside that little triangle as well as where
 21 you first began at the top of the page. Right
 22 off the shoulder was where you came to a stop?
 23 A. Stop.
 24 Q. What is beyond where your vehicle stopped?

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1 A. Just more road.
 2 Q. What is off to the right as you're heading
 3 eastbound?
 4 A. On this side?
 5 Q. As you're facing eastbound, what is facing off
 6 to your right where your vehicle stopped?
 7 A. Nothing.
 8 Q. You say "nothing" --
 9 A. If I went further --
 10 Q. I understand. What I'm asking you is where you
 11 indicated, what is off to your right?
 12 A. Grass and snow.
 13 Q. Is it sloped, it is straight; what is there?
 14 A. No. It's straight.
 15 Q. Did your car remain there?
 16 A. Yes.
 17 Q. That's where you left the car when you called
 18 AAA?
 19 A. I got of the car, yes.
 20 MR. FISCHER: Listen to the question
 21 and answer the question.
 22 Q. (By Mr. Silverfine): Where is it that you
 23 first saw Officer Sauro's vehicle pull over?
 24 MR. FISCHER: Objection.

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1 Q. (By Mr. Silverfine): Did you see
 2 Officer Sauro's car pull up, the police
 3 officer?
 4 A. Not until I stopped.
 5 Q. That's what I asked you. Did you understand --
 6 there's no tricks here.
 7 A. No.
 8 MR. FISCHER: If I could be helpful,
 9 it wasn't clear whether you meant where
 10 she was when she saw the vehicle or where
 11 the vehicle was.
 12 Q. (By Mr. Silverfine): You've indicated on this
 13 diagram that you came to a stop where you've
 14 marked, correct?
 15 A. Yes.
 16 Q. I'm asking you, can you indicate on that when
 17 it is that you first saw Officer's Sauro car,
 18 his cruiser?
 19 MR. FISCHER: Objection. You don't
 20 mean when, you mean where.
 21 Q. (By Mr. Silverfine): Where did you first see
 22 Officer Sauro's car?
 23 MR. FISCHER: Objection.
 24 THE WITNESS: I still can't answer

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1 that.
 2 Q. (By Mr. Silverfine): Let me ask you this.
 3 Eventually, you saw Officer Sauro's car; is
 4 that fair to say or not?
 5 A. Not until he was on the radio. I didn't really
 6 pay any attention.
 7 Q. When did you see him in his cruiser on the
 8 radio? Where in relation to where you stopped
 9 did you see his cruiser?
 10 A. There is a little street right here. He was
 11 like right about here.
 12 Q. Why don't you draw another rectangle and write
 13 "Sauro." When you saw that cruiser you've now
 14 indicated by putting Sergeant Sauro in that
 15 box, how far back was he?
 16 A. He was pretty far back.
 17 Q. Approximately how far back?
 18 A. I don't know.
 19 Q. Give us your best estimate?
 20 A. I can't.
 21 Q. You could hear him on the radio from there?
 22 A. Yes. I couldn't hear what he was saying.
 23 Q. In terms of where you are, where did your car
 24 end up in relation to where you stopped the

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1 car?
 2 A. Where did it end up?
 3 Q. Where did it end up?
 4 A. I should have drawn it the other way because
 5 it's way down here.
 6 Q. How far down off the piece of paper --
 7 A. Really far down here in trees.
 8 Q. Are you having any problem with my questions
 9 because I'll be happy --
 10 A. But, I didn't know you were going to ask me
 11 that or I would have started the other way.
 12 Q. If it helps you, we'll give you another piece
 13 of paper. That's fine. I don't want to put
 14 any words in your mouth. Why don't we mark
 15 this one as Exhibit 2 --
 16 A. No, no.
 17 Q. Excuse me. It's my deposition.
 18 (Whereupon a Diagram was marked as
 19 Exhibit No. 2.)
 20 Q. This is now Exhibit 2. For the purpose so
 21 we're clear on the record, we've been referring
 22 to Exhibit 2, the first diagram. I would like
 23 you to sign and date it so it's clear you're
 24 the one that authored it. Just for purposes

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- 1 A. No.
2 Q. How about prior to February 6, 2002?
3 A. We did it on a monthly basis.
4 Q. When you say "colleagues," where were these
5 colleagues?
6 A. What?
7 Q. Where?
8 A. Throughout Framingham, Cambridge, we got
9 together and treated one another.
10 Q. Did you see somebody in particular?
11 A. No. We all knew one another.
12 Q. Besides what you've told us today, what other
13 economic damage are you claiming as a result of
14 the injuries you suffered on February 6, 2002?
15 A. I have no idea how to answer that question.
16 Q. You've told us the extent of your economic
17 damage after February 6, 2002?
18 A. No. I haven't told you.
19 Q. What other economic damages have you
20 suffered --
21 A. I said I don't have any idea of how to
22 enumerate my financial losses.
23 Q. Do you have any notes or diaries of the events
24 as you wrote them down, or did you write them

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- 1 down, as of February 6, 2002?
2 A. No. I don't need them.
3 Q. Officer Sauro, was he dressed in uniform that
4 day?
5 A. Yes.
6 Q. Do you recall the color of the uniform?
7 A. No.
8 Q. Do you recall if he was wearing a hat or not?
9 A. No.
10 Q. Have you filed any medical insurance claims
11 relative to this case with anyone?
12 A. No.
13 MR. SILVERFINE: I think I'm
14 finished.
15 MR. FISCHER: In response to your
16 question about the medical claims, there
17 was a PIP claim filed, and there is, I
18 believe, a lien from Mass. Medical for
19 that.
20 MR. SILVERFINE: Do you know when the
21 PIP claim was filed on your behalf?
22 THE WITNESS: No, I don't. The
23 hospital did all that.
24 (Deposition concluded at 4 p.m.)

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1 ERRATA SHEET
2 In accordance with the rules of procedure governing
3 depositions, you are entitled to read and correct
4 your deposition. Please carefully read your testimony
5 and on this Errata Sheet, make any necessary changes
6 or corrections to your deposition either in form or
7 substance. You are to identify those changes/
8 corrections by page and line number, give the
9 correction/change desired and state the reason.
10 Please do not mark the actual transcript. After
11 completing this procedure, date and sign the bottom
12 of this page where indicated as well as the witness
13 signature page at the end of the transcript and
14 return in accordance with your instructions.
15
16 Page: _____ Line Number: _____
17 Change/Correction: _____
18 Reason: _____
19
20 Page: _____ Line Number: _____
21 Change/Correction: _____
22 Reason: _____
23
24 Page: _____ Line Number: _____
Change/Correction: _____
Reason: _____
Page: _____ Line Number: _____
Change/Correction: _____
Reason: _____
Page: _____ Line Number: _____
Change/Correction: _____
Reason: _____
Date: _____
Deponent's Signature: _____

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1 CERTIFICATE
2
3
4
5 I, YVETTE LOCKHART-BEMBERG, do hereby certify
6 under the pains and penalties of perjury that the
7 foregoing testimony is true and accurate to the
8 best of my knowledge and belief as amended by
9 any errata sheet attached hereto.
10 WITNESS MY HAND, this _____ day of _____
11 2005.
12
13
14
15
16 YVETTE LOCKHART-BEMBERG
17
18
19
20
21
22
23
24

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1 CERTIFICATE

2
3 COMMONWEALTH OF MASSACHUSETTS
4 BRISTOL, SS.
56 I, THERESA M. EDWARDS, a Notary Public in and for
7 the Commonwealth of Massachusetts, duly commissioned,
8 qualified and authorized to administer oaths and to
9 take and certify depositions, do hereby certify that
10 heretofore, on the date cited above, the witness
11 personally appeared before me at the above location and
12 testified in the above-captioned case; that the said
13 witness was by me duly sworn to testify to the truth,
14 the whole truth and nothing but the truth; that
15 thereupon and while said witness was under oath, the
16 deposition was taken down by me in machine shorthand at
17 the time and place therein named and was reduced to
18 typewriting thereafter.19 I further certify that the said deposition
20 constitutes a true record of the testimony given by the
21 said witness.22 I further certify that I am not interested in the
23 event of this action.
24IN WITNESS WHEREOF, I have hereunto subscribed my
hand this 7th day of March, 2005._____
Theresa M. Edwards
Notary PublicMy Commission Expires:
August 16, 2007

